

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-96-GMS
	:	
JIMMIE LARK,	:	
	:	
Defendant.	:	

MOTION TO REVISE TIME TO FILE PRETRIAL MOTIONS

The defendant, Jimmie Larks, though undersigned counsel, hereby moves this Honorable Court to revise the time that pretrial motions are due.

In support of this motion the defense submits as follows:

1. Mr. Jimmie Lark was arraigned on November 3, 2005.
2. Counsel for Mr. Lark sent a written request for discovery to the government on October 24, 2005 and followed up with phone calls to request discovery.
3. In order to ensure that there was sufficient time to file motions and to review the discovery with Mr. Lark, Counsel requested that motions be due on December 9, 2005.
4. Counsel did not receive discovery, however, until the week of December 5th. Two video tapes were provided on December 5, 2005 and document discovery was received on December 7, 2005. In order to show the tapes to Mr. Lark, who is incarcerated, arrangements must be made in advance.

5. As a result, counsel has neither shown Mr. Lark the discovery nor discussed it with him.

6. The government agrees that counsel should have more time to file motions.

WHEREFORE, the defendant request that pretrial motions be due December 26, 2005.

Respectfully submitted,

/s/

Penny Marshall
Federal Public Defender
First Federal Plaza
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Wilmington, DE 19801
(302) 573-6010
Attorney for Mr. Lark

Dated: December 12, 2005

CERTIFICATE OF SERVICE

Undersigned counsel certifies that a copy of Defendant's Motion to Revise Time to File Pretrial Motions is available for public viewing and downloading and was electronically delivered on December 12, 2005, to:

Beth Moskow-Schnoll, Esquire
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/s/
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Dated: December 12, 2005